

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS and §
LUBBOCK INDEPENDENT SCHOOL §
DISTRICT, §
Plaintiffs, §
v. §
§
XAVIER BECERRA, in his official §
capacity as Secretary of Health and §
Human Services, *et al.*, §
Defendants. §

CIVIL ACTION No. 5:21-cv-300

**PLAINTIFFS' RESPONSE TO DEFENDANTS'
MOTION TO DISMISS AND MOTION FOR SUMMARY JUDGMENT**

Plaintiffs file this Response to Defendants' Motion to Dismiss, or in the alternative, Motion for Summary Judgment. [Dkt. #48 & 49]. The Court should deny Defendants' Motion for the reasons set forth in the accompanying brief.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General

SHAWN E. COWLES
Deputy Attorney General for Civil Litigation

/s/ Charles K. Eldred
CHARLES K. ELDRED
Special Litigation Counsel
Administration Law Division
State Bar No. 00793681
Charles.Eldred@oag.texas.gov

JOHNATHAN STONE
Assistant Attorney General
Civil Medicaid Fraud Division
State Bar No. 24071779

AMY L.K. WILLS
Assistant Attorney General
General Counsel Division
State Bar No. 24093379

Office of the Attorney General
Administrative Law Division
P.O. Box 12548, Capitol Station
(512) 936-1706 • fax (512) 320-0167
Austin, Texas 78711-2548

ATTORNEYS FOR PLAINTIFF
STATE OF TEXAS

CHRISTOPHER D. HILTON
Chief, General Litigation Division

/s/ Amy S. Hilton
AMY S. HILTON
Assistant Attorney General
General Litigation Division
State Bar No. 24097834
Amy.Hilton@oag.texas.gov

Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
(512) 936-1327 • fax (512) 320-0667

ATTORNEYS FOR PLAINTIFF
LUBBOCK INDEPENDENT
SCHOOL DISTRICT

CERTIFICATE OF SERVICE

We certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on May 4, 2022.

Madeline M. McMahon
Michael P. Clendenen
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street N.W.
Washington, DC 20005
madeline.m.mcmahon@usdoj.gov

Attorneys for Defendants

/s/ Charles K. Eldred /s/ Amy S. Hilton
Charles K. Eldred Amy S. Hilton